UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CATHERINE BURNS,

     Plaintiff,

v.   Case No. 8:20-cv-2256-CPT

ANDREW SAUL,
Commissioner of Social Security,

     Defendant.
_____/

O R D E R

Before the Court is the Commissioner's *Unopposed Motion for Entry of Judgment with Remand*. (Doc. 19). By way of his motion, the Commissioner seeks an Order remanding this case under sentence four of 42 U.S.C. § 405(g), stating:

> On remand, the Appeals Council will instruct the Administrative Law Judge to reevaluate Plaintiff's chronic fatigue syndrome, reassess her residual functional capacity finding, evaluate the persuasiveness of all medical opinions of record, and if warranted, consult a vocational expert to determine the effects of the assessed limitations on the occupational base.

Id. at 1. The Plaintiff does not oppose the Commissioner's motion. *Id.*

Sentence four of section 405(g) provides that "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming,

modifying, or reversing the decision of the Commissioner . . . with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). In a sentence four remand, the appropriate procedure is for the court to enter a final judgment in the plaintiff's favor. *Shalala v. Schaefer*, 509 U.S. 292, 296–97 (1993); *Jackson v. Chater*, 99 F.3d 1086, 1095 (11th Cir. 1996).

Accordingly, it is hereby ORDERED:

1.   The Commissioner's *Unopposed Motion for Entry of Judgment with Remand* (Doc. 19) is granted.

2.   The Commissioner's decision is reversed and remanded for further proceedings before the Commissioner consistent with this Order.

3.   The Clerk of Court is directed to enter Judgment in the Plaintiff's favor and to close the case.

4.   The matter of attorney's fees and costs shall be addressed upon further motion in accordance with Local Rule 7.01.

DONE and ORDERED in Tampa, Florida, this 16th day of June 2021.

HONORABLE CHRISTOPHER P. TUITE
United States Magistrate Judge

Copies to:
Counsel of record